JFK assassination: A case that has not been closed

By HAL VERB

"CASE OPEN: The Omission, Distortions and Falsifications of 'Case Closed,'" by Harold Weisberg. Carrol & Graf Publishers, Inc., New York. paper, 178 pages.

"Case Open," a new book by JFK assassination expert Harold Weisberg, is a polemic against the "revisionist" conclusions and cover-ups of another book on the subject by Gerald Posner.

When Gerald Posner's book, "Case Closed," burst upon the literary scene in the late summer of 1993, it was immediately greeted and widely hailed by the media, professional historians, and some sectors of academia as the "politically correct" and *final* solution to the Nov. 22, 1963, assassination of John F. Kennedy: Oswald did it—he did it alone, and with nary a political conspiracy to be found anywhere.

This "conclusion" was virtually the same version reached by the Warren Commission almost 30 years earlier but with a new "twist" added by Posner, who provided a specific motive for the killing.

(The Warren Commission could not and did not find nor publish a "motive" for Oswald's alleged crime when it printed the Warren Report in September 1964.)

Hollywood gossip columnist Liz Smith, whose articles appear regularly in the *San Francisco Chronicle*, echoed Posner's "conclusion" in her short capsule review of his book (Oct. 25, 1993): "[Oswald had] just a desire to get even and be noticed."

The fact that this view held by both Posner and Smith went contrary to American and, indeed, world opinion (U.S. polls in recent years showed up to 80 percent disbelieving the Warren Report) meant that Posner had his work cut out for him.

What new evidence or new tools could he provide that would satisfy his readers that the current popularly held notion of a conspiracy was all wrong and that the Warren Commission, despite its many flaws (admitted even by Posner) nevertheless had come to the right conclusion of Oswald's guilt?

Former Wall Street lawyer Gerald Posner had the answer with his legal brief in hand before the world court of public opinion: Case solved by psychiatry and the sciences of computer technology and photographic enhancement.

Add to these miracles of scientific wonders Posner's boastful assertion that he interviewed 200 persons in connection with the most celebrated murder of the 20th century and you have a formula for a successful revisionist history that future scholars and historians will well ponder and marvel at.

The mountains of praise heaped upon Posner after his book's appearance are embarrassing in the extreme when we recall some instances.

Writer Frederick Dannen (author of "Hit Man") stated that Posner's book "really closed the case" and that it "for the first time ever, presents an account of the Kennedy assassination devoid of speculation." (Weisberg contends that this latter point is ludicrous; he demonstrates how Posner relied on nothing but theory and speculation.)

Tom Wicker of *The New York Times*, who was present when Kennedy was gunned down in Dallas, took the opportunity to hail Posner and put down *all* of the many writers on the JFK case (which would necessarily include Weisberg). Wicker derogatorily lumped them together as "assassination conspiracy after another" and labelled them "dishonest," whereas Posner deserved the highest honors because now "the case of JFK is indeed closed."

Posner's publisher, Random House, is unabashed and unreserved in its bold pronouncement on the dust jacket's blurb that Posner "finally succeeds where hundreds ... have failed—it resolves the greatest murder mystery of our time" and puts "to rest all speculation."

Despite the fact that Weisberg has come to be known as "the dean of assassination literature" and has written more books on the JFK case than any other writer, not a single newsman, journalist, or media personality called him to get his opinion of Posner's work when it appeared!

Perhaps the best summary of "Case Open" and what it is about can be gleaned from Weisberg's own words on the purposes of his work:

"This book is, as intended, an exposure and an indictment of Gerald Posner and his mistitled book, 'Case Closed,' the most dishonest of all the many books on the assassination of President Kennedy and its investigations. It also exposes and indicts the media and those who connived with Posner."

Posner's thesis (really theory) relies heavily, as Weisberg pointedly notes, on two essential arguments. The first of these deals with Oswald's alleged mental condition, which, in Posner's "analysis" evolves to a steadily increasing state of deterioration.

To accomplish this, Posner cites the testimony of Dr. Renatus Hartogs, a psychiatrist who examined Oswald as a truant child, that Oswald had shown "aggressive" and "assaultive" potential. Weisberg, however, notes that Hartogs's testimony before the Warren Commission was contradictory. At the end of his testimony, in fact, Hartogs admitted that, upon further recollection, he had *not* found that Oswald displayed assaultive potential as a child.

But it is to the second of Posner's arguments that Weisberg devotes most of his book: Posner's so-called use of science (in the form of computers and photo enhancements).

Weisberg shows that Posner's reconstruction of the crime is totally false based on the timing of the shots.

In fact, Posner introduced no scientific evidence dealing with the contention that shots might have been fired from any location other than the traditional "sniper's nest" on the 6th floor of the Texas Book Depository.

Weisberg is able to demonstrate that Oswald could not possibly have run down four flights of stairs in time to be spotted drinking a Coke by a cop in the 2nd floor lunchroom—all in less than two minutes, according to the Warren Report.

Weisberg minces no words in his searing criticism of Posner and his work. Before Posner published his book he befriended Weisberg. He spent three days with his wife, Trisha, at Weisberg's home poring through the massive collection of official government documents that Weisberg was only too willing to show despite his poor health and near physical disability.

Weisberg writes that Posner deliberately misled him about the nature of the book he was writing.

Weisberg's book is in paperback form and is 178 pages in length. It actually is only 20 percent of a larger manuscript he had prepared. But he decided to print the shorter version in order to get the word out without delay. The complete manuscript will be made available by Weisberg for scholars and researchers. Details on how to obtain it are mentioned in the book.

Judging by the 20 percent that has appeared in this short version—which by itself demolishes Posner's pet theories—the remaining 80 percent to be found in the fuller manuscript must be utterly devastating! ■